

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

AL MAYNARD POTTER,

Petitioner,

WARDEN CEDRICK TAYLOR,

Respondent.

Case No. CV412-155

ORDER

Al Maynard Potter petitions this Court for 28 U.S.C. § 2254 habeas relief. Doc. 1. In the Superior Court of Chatham County, Georgia, he “was convicted of felony murder in the shooting death of his girlfriend's brother, Jerry McLemore,” and the Georgia Supreme Court affirmed. *Potter v. State*, 272 Ga. 430, 430-31 (2000), *later appeal denied*, 273 Ga. 325, 325 (2001), *state habeas denied*, doc. 1 at 1.¹

In accordance with Rule 4 of the Rules Governing § 2254 Cases in the United States District Courts, a copy of the petition shall be served on the respondent and the Attorney General of the State of Georgia. The

¹ This Court previously dismissed his petition as untimely, doc. 15, but vacated that ruling upon his Fed. R. Civ. P. 60 motion (he showed that he filed it on the 365th day of 28 U.S.C. § 2244(d)(1)'s one-year statute of limitations period). Doc. 19.

Clerk is hereby **DIRECTED** to forward to the Marshal sufficient copies of this Order and the petition for service upon the respondent by certified mail and upon the Attorney General of the State of Georgia, directed to the attention of Deputy Attorney General Mary Beth Westmoreland, by regular mail. The Marshal's return shall constitute prima facie evidence of service of process.

The respondent is therefore **ORDERED**, within thirty days after service of this Order, to file a response and to show cause why the relief sought should not be granted. The answer shall conform to the requirements of Rule 5 of the Rules Governing § 2254 Cases in the United States District Court. Respondent shall furnish with the answer a copy of any trial transcripts, the transcripts of any state habeas corpus proceedings and orders of the state court denying the writ, and, if the petition appealed from the judgment of conviction or from an adverse judgment or order in a post-conviction proceeding, a copy of all appellate briefs and of the opinion of the appellate court, if any.

SO ORDERED, this 6th day of May, 2013.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA